



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

IMMERMANN et al.

Serial No. 09/403,654

Filed: October 25, 1999

For: EXPRESSION OF FUNGICIDE-BINDING POLYPEPTIDES IN PLANTS FOR
GENERATING FUNGICIDE TOLERANCE

Art Unit: 1638

Examiner: Kruse

AP 11638
#13/D
RECEIVED
MAR 08 2002
TECH CENTER 1600/2900

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope
addressed to: Commissioner of Patents and Trademarks,
Washington, D.C. 20231, on:

February 27, 2002
Date of Deposit: Herbert B. Keil

Person Making Deposit

Signature: *Herbert B. Keil*
February 27, 2002
Date of Signature

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

AMENDMENT UNDER 37 CFR 1.116

Sir:

In response to the Office action of July 17, 2001 and Advisory action of
November 2, 2001, applicants request entry of the following amendment and
reconsideration in view of the enclosed declaration and following comments.
Applicants note that a Notice of Appeal was mailed on November 16, 2001, which
paper was received on January 3, 2002, setting the further time period for reply at
March 3, 2002. **No extension should be necessary for the filing of this paper.**

CLEAN VERSION OF AMENDMENTS

32. (thrice amended) An expression cassette for plants, comprising a promoter, a nucleotide sequence encoding a signal peptide, a gene encoding an exogenous methyl methoxyimino- α -(o-tolyloxy)-o-tolylacetate (BAS 490F)-binding polypeptide or a part thereof produced according to steps a)-c) of claim 29, and a nucleotide sequence encoding an ER retention signal and a terminator.
